UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	Case No.: 2:08-cr-0060-GMN-LRL
Plaintiff,)	ORDER
VS.)	
NORMAN MARTIN,)	
5.0.)	
Defendant.)	
)	

The defendant, Norman Martin, is under indictment on one (1) count of Felon in Possession of a Firearm and one (1) count of Felon in Possession of Ammunition in violation of 18 U.S.C. §§ 922(g)(1) and 924 (a)(2). The firearms and ammunition were seized during the execution of a search warrant.

Defendant has filed two motions which were each addressed separately resulting in two distinct Report and Recommendations. (ECF Nos. 28 & 30). First, Defendant filed a Motion to Dismiss (ECF No. 18), in which he contends that his defense has been prejudiced by both pre-indictment delay in violation of his Fifth Amendment right to due process, and post-indictment delay in violation of his Sixth Amendment right to a speedy trial. The Honorable Lawrence R. Leavitt, United States Magistrate Judge entered a Report and Recommendation (ECF No. 30) on October 12, 2010, recommending that Defendant's Motion be DENIED. Despite this Court having granted three stipulations to extend the deadline to object to the Report and Recommendation (ECF Nos. 31, 33, and 37), no objections to the Report and Recommendation have ever been filed.

Defendant's second motion, a Motion to Suppress (ECF No. 19), contends that the affidavit in support of the search warrant was facially deficient in that it did not provide probable cause to search his residence. Accordingly, he argues that the seized firearms

and ammunition, as well as statements he made when the warrant was executed, should be suppressed as fruits of an unlawful search. On October 5, 2010, Magistrate Judge Leavitt, entered a Report and Recommendation (ECF No. 28) recommending that Defendant's Motion be DENIED. Likewise, despite this Court granting an extension of the deadline, no objections to the Report and Recommendation have been filed. The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-9 and determines that Magistrate Judge Leavitt's Report and Recommendations should be Accepted. IT IS THEREFORE ORDERED that Magistrate Judge Leavitt's Report and Recommendations (ECF No. 28 & 30) are ACCEPTED and Defendant's Motions (ECF No. 18 & 19) are both DENIED. DATED this 12th day of January, 2011. Gloria M. Navarro United States District Judge